

Exhibit A

UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF MASSACHUSETTS

)
IN RE PHARMACEUTICAL INDUSTRY)
AVERAGE WHOLESALE PRICE)
LITIGATION) MDL NO. 1456
)
THIS DOCUMENT RELATES TO:) Civil Action No. 01-12257-PBS
The City of New York v. Abbott)
Laboratories, Inc., et al.)
S.D.N.Y. Case No. 04-CV-06054)
County of Albany v. Abbott Laboratories,)
Inc., et al.)
N.D.N.Y. Case No. 05-CV-0425)
County of Allegany v. Abbott Laboratories,)
Inc., et al.)
W.D.N.Y. Case No. 05-CV-0236)
County of Broome v. Abbott Laboratories,)
Inc., et al.)
N.D.N.Y. Case No. 05-CV-0456)
County of Cattaraugus v. Abbott)
Laboratories, Inc., et al.)
W.D.N.Y. Case No. 05-CV-0256)
County of Cayuga v. Abbott Laboratories,)
Inc., et al.)
N.D.N.Y. Case No. 05-CV-0423)
County of Chautauqua v. Abbott)
Laboratories, Inc., et al.)
W.D.N.Y. Case No. 05-CV-0214)
County of Chemung v. Abbott)
Laboratories, Inc., et al.)
W.D.N.Y. Case No. 05-CV-6744)
County of Chenango v. Abbott)
Laboratories, Inc., et al.)
N.D.N.Y. Case No. 05-CV-0354)
County of Columbia v. Abbott)
Laboratories, Inc., et al.)
N.D.N.Y. Case No. 05-CV-0867)
County of Cortland v. Abbott Laboratories,)
Inc., et al.)
N.D.N.Y. Case No. 05-CV-0881)
County of Dutchess v. Abbott Laboratories,)
Inc., et al.)

S.D.N.Y. Case No. 05-CV-6458)
<i>County of Essex v. Abbott Laboratories, Inc., et al.</i>)
N.D.N.Y. Case No. 05-CV-0878)
<i>County of Fulton v. Abbott Laboratories, Inc., et al.</i>)
N.D.N.Y. Case No. 05-CV-0519)
<i>County of Genesee v. Abbott Laboratories, Inc., et al.</i>)
W.D.N.Y. Case No. 05-CV-00267)
<i>County of Greene v. Abbott Laboratories, Inc., et al.</i>)
N.D.N.Y. Case No. 05-CV-0474)
<i>County of Herkimer v. Abbott Laboratories, Inc., et al.</i>)
N.D.N.Y. Case No. 05-CV-00415)
<i>County of Jefferson v. Abbott Laboratories, Inc., et al.</i>)
N.D.N.Y. Case No. 05-CV-0715)
<i>County of Lewis v. Abbott Laboratories, Inc., et al.</i>)
N.D.N.Y. Case No. 05-CV-0839)
<i>County of Madison v. Abbott Laboratories, Inc., et al.</i>)
N.D.N.Y. Case No. 05-CV-00714)
<i>County of Monroe v. Abbott Laboratories, Inc., et al.</i>)
W.D.N.Y. Case No. 05-CV-6148)
<i>County of Nassau v. Abbott Laboratories, Inc., et al.</i>)
E.D.N.Y. Case No. 04-CV-05126)
<i>County of Niagara v. Abbott Laboratories, Inc., et al.</i>)
W.D.N.Y. Case No. 05-CV-06296)
<i>County of Oneida v. Abbott Laboratories, Inc., et al.</i>)
N.D.N.Y. Case No. 05-CV-0489)
<i>County of Onondaga v. Abbott Laboratories, Inc., et al.</i>)
N.D.N.Y. Case No. 05-CV-0088)
<i>County of Ontario v. Abbott Laboratories, Inc., et al.</i>)
W.D.N.Y. Case No. 05-CV-6373)
<i>County of Orange v. Abbott Laboratories, Inc., et al.</i>)
S.D.N.Y. Case No. 07-CV-2777)

<i>County of Orleans v. Abbott Laboratories, Inc., et al.</i>)
W.D.N.Y. Case No. 05-CV-6371)
<i>County of Putnam v. Abbott Laboratories, Inc., et al.</i>)
S.D.N.Y. Case No. 05-CV-04740)
<i>County of Rensselaer v. Abbott Laboratories, Inc., et al.</i>)
N.D.N.Y. Case No. 05-CV-00422)
<i>County of Rockland v. Abbott Laboratories, Inc., et al.</i>)
S.D.N.Y. Case No. 03-CV-7055)
<i>County of Schuyler v. Abbott Laboratories, Inc., et al.</i>)
W.D.N.Y. Case No. 05-CV-6387)
<i>County of Seneca v. Abbott Laboratories, Inc., et al.</i>)
W.D.N.Y. Case No. 05-CV-6370)
<i>County of St. Lawrence v. Abbott Laboratories, Inc., et al.</i>)
N.D.N.Y. Case No. 05-CV-0479)
<i>County of Saratoga v. Abbott Laboratories, Inc., et al.</i>)
N.D.N.Y. Case No. 05-CV-0478)
<i>County of Steuben v. Abbott Laboratories, Inc., et al.</i>)
W.D.N.Y. Case No. 05-CV-6223)
<i>County of Suffolk v. Abbott Laboratories, Inc., et al.</i>)
E.D.N.Y. Case No. 03-CV-12257)
<i>County of Tompkins v. Abbott Laboratories, Inc., et al.</i>)
N.D.N.Y. Case No. 05-CV-0397)
<i>County of Ulster v. Abbott Laboratories, Inc., et al.</i>)
N.D.N.Y. Case No. 06-CV-0123)
<i>County of Warren v. Abbott Laboratories, Inc., et al.</i>)
N.D.N.Y. Case No. 05-CV-0468)
<i>County of Washington v. Abbott Laboratories, Inc., et al.</i>)
N.D.N.Y. Case No. 05-CV-0408)
<i>County of Wayne v. Abbott Laboratories, Inc., et al.</i>)
W.D.N.Y. Case No. 05-CV-06138)
<i>County of Westchester v. Abbott</i>)

Laboratories, Inc., et al.)
S.D.N.Y. Case No. 03-CV-6178)
County of Wyoming v. Abbott)
Laboratories, Inc., et al.)
W.D.N.Y. Case No. 05-CV-6379)
County of Yates v. Abbott Laboratories,)
Inc., et al.)
W.D.N.Y. Case No. 05-CV-06172)

)

Affidavit of Sumanth Addanki

February 21, 2008

I. Introduction

A. Qualifications and Assignment

1. I am an economist and a Senior Vice President at NERA Economic Consulting (NERA). I hold A.M and Ph.D. degrees in economics from Harvard University and have specialized in the study of industrial organization. I have published articles on industrial organization economics and have written articles on antitrust issues for the American Bar Association (ABA) and other like institutions. These institutions have also invited me to lecture and comment on the market impact of various marketing, pricing and intellectual property strategies employed by firms in general as well as specifically in the pharmaceutical industry. I have testified by invitation before the Federal Trade Commission (FTC) on the analysis of competition in high technology industries.
2. I have consulted on many antitrust, intellectual property and commercial damages cases involving different industries, including agriculture, airlines, computer hardware and software, electronic components, health care, newspaper, office products, oil and gas, tobacco, and tools and hardware among many others. In addition, I have consulted extensively in the pharmaceutical industry, analyzing the market impact of various pricing, marketing and intellectual property strategies; assessing the impact of mergers and acquisitions; studying the effect of suppressed or delayed generic competition; and assessing economic damages, among other assignments. I have previously worked on matters involving allegations of AWP manipulation.

3. Some of my consulting assignments have led to my being qualified as an expert economist in Federal courts and testifying in those courts as an expert in the economics of industrial organization. I have also testified on the appropriate analysis of pharmaceutical markets in proceedings before the FTC.
4. My curriculum vitae, which is appended to this report as Exhibit 1, includes a list of all my publications within the preceding ten years and my testimony as an expert at trial or in deposition within the preceding four years.
5. NERA is being compensated at my customary hourly rate of \$650 for my services in this matter.

B. Scope of the Engagement

6. Ropes & Gray, counsel for Schering Corporation ("Schering"), asked me to perform the following calculations and analyses. For the branded Schering prescription drugs at issue, for the years at issue in this matter in which the drug was not effectively obsolete:
 - Calculate the difference, or "spread", between the AMP (Average Manufacturer Price) and the AWP (Average Wholesale Price) as a percentage of the AMP for each of the accused Schering products;
 - Estimate the extent to which the products were sold by Schering at prices that were, on average, at or near their Wholesale Acquisition Cost (WAC).¹

¹ For my purposes, I assume that products are effectively obsolete when they are declared to be obsolete or discontinued, or are being converted to over-the-counter products, or such events are imminent.

I was asked to assume that the relevant period was from January 1, 1997 to December 31, 2005. I discuss each of these assignments in the sections below and present my results in the accompanying exhibits.

C. Information Relied Upon

7. This affidavit is based on my professional training and experience, including my experience working in other cases involving allegations of AWP manipulation. I also rely on my own prior research and my review and analysis of materials related to this and related lawsuits. My staff at NERA and I have reviewed various materials, including sales data for the products at issue, data from pricing compendia, public documents and court filings. A list of the materials relied upon in preparing this report is attached as Exhibit 2.
8. I reserve the right to supplement or revise my conclusions if additional information is provided to me or if additional research, reflection or the correction of inadvertent errors leads me to change my current opinions.

II. AMP-Based “Spreads”

9. I have been asked to calculate the average difference, or “spread”, between AWP and AMP for the accused products as a percentage of AMP by NDC.² The results of these calculations are shown in Exhibit 3. As is evident from Exhibit 3, most of these “spreads” are below 30 percent of AMP, and those that are not show no particular pattern and are, moreover, generally only modestly higher.

² Although the NDCs at issue have been identified at the 11-digit level, AMPs are reported to the Centers for Medicare & Medicaid Services at the 9-digit level. I was asked to calculate “spreads” at the 9-digit level.

III. Wholesale Acquisition Cost (WAC)

10. The WAC is effectively a "list price" in the branded pharmaceutical industry, and a substantial portion of Schering's sales of the branded pharmaceutical products at issue—over 85 percent—are actually made at or very near WAC, as shown in Exhibit 4. I have also performed this analysis by brand, and the results are reported in Exhibit 5. As the exhibit shows, many of the brands have over 90 percent of their sales made at or very near WAC. When these products are analyzed at the same level as the "AMP-based spreads" similar results obtain, as shown in Exhibit 6.



Sumanth Addanki

2-21-08

Date

EXHIBIT 1

NERA

Economic Consulting

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SUMANTH ADDANKI
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Education

Harvard University
Ph.D., Economics, 1986
A.M., Economics, 1982

Birla Institute of Technology and Science, India
M.A. (Hons.), Economics, 1980

Professional Experience

1986-	NERA Economic Consulting Senior Vice President (current position)
1997	New York University, Robert F. Wagner Graduate School of Public Service Adjunct Assistant Professor of Public and Health Administration
1981-1986	National Bureau of Economic Research Inc. Research Associate and Computer Manager
1981-1985	Harvard University Instructor in Economics, Teaching Fellow, and Assistant Head Tutor
1980	National Council of Applied Economic Research, India Research Associate

Testimony (2004 – 2008)

Discover Financial Services, et al. v. Visa U.S.A. Inc., et al., U.S. District Court for the Southern District of New York, Civil Action No 04-CF-7844 (BSJ) (Deposition Testimony). December 6-7, 2007.

Sumanth Addanki

State of Alabama v. Abbott Laboratories, Inc., et al., In the Circuit Court of Montgomery County, Alabama, CV-05-219 (Deposition Testimony). November 29-30, 2007.

Dynax Corporation v. Chemguard, Inc., U.S. District Court for the Southern District of New York, Index: 06-CIV-5143 (CM)(ECF CASE) (Deposition Testimony).

State of Colorado, et al. v. Warner Chilcott Holdings Company III, Ltd, et al., U.S. District Court for the District of Columbia, Civil Action No 1:05CV02182 (CKK) (Deposition Testimony).

Novartis Corporation, Novartis Pharmaceuticals Corporation, and Novartis International AG v. Teva Pharmaceuticals USA, Inc., U.S. District Court for the District of New Jersey, Civil Action Nos. 04-4473 and 06-1130 (HAA)(MF) (Deposition Testimony).

In re Pharmaceutical Industry Average Wholesale Price Litigation (MDL 1456), U.S. District Court for the District of Massachusetts, Civil Action No. 01-12257-PBS.

Briant Chun-Hoon and Carlo Guglielmino v. McKee Foods Corporation, a Tennessee Corporation; and Does 1 through 100, inclusive, U.S. District Court for the Northern District of California, Case No. C05-00620 VRW (Deposition Testimony).

XIOtech Corporation v. Compellent Technologies, Inc., Michael Markovich, Russell B. Taddiken, Scott A. Winslow, Kristofer M. Zuber, District Court for the State of Minnesota, Fourth Judicial District, Court File No.: 04-5065 (Deposition Testimony).

Medtronic Minimed, Inc., v. Smiths Medical MD, Inc., U. S. District Court for the District of Delaware, Civil Action No. 03-776-KAJ (Deposition Testimony).

Papers and Publications (1998 – 2008)

“*Schering-Plough* and the Antitrust Analysis of Patent Settlement Agreements in Pharmaceutical Markets,” *Antitrust Insights*, National Economic Research Associates, Inc., 2005.

“Market Definitions Using Econometrics: An Apparent Paradox Explained,” *Antitrust Insights*, National Economic Research Associates, Inc., 2001.

“Presenting Complex Technical and Economic Evidence: Lessons From The Trenches,” *Antitrust and Intellectual Property: The Crossroads*, American Bar Association, 2000.

“The Relevant Market in Intellectual Property Antitrust: An Economist’s Overview,” Practising Law Institute, Intellectual Property Antitrust, June 1998.

February 2008

Exhibit 2

Case Materials

New York Counties v. Abbott Laboratories, Inc., et al., Revised First Amended Consolidated Complaint, filed October 5, 2007, with Exhibit B.

Data

Schering Sales Data.

Schering AMP Data ("AMPs_Sebazon_Normodyne.xls", "AWP_litigation_AMP_Data.xls", "extract MCR amp units_addl.xls", "MCR_AMP_Units.xls", "NY_Additional_NDCs_AMP_Data.xls", "NY_Additional_NDCs_AMP_Units_and_Pkgs.xls").

First DataBase Data.

Medispan Data.

Medicaid State Drug Utilization Data including "Definitions for State Drug Utilization Data Specifications", Centers for Medicare & Medicaid Services.

Miscellaneous

PRNewswire, "Schering-Plough Aims To Make CLARITIN® Premier Brand In OTC Category, Establish CLARINEX® As Premier Brand In Prescription Category," March 8, 2002.

Schering-Plough Corporation, Form 10-K, for the fiscal year ended December 31, 2001, Item 1.

Schering-Plough Corporation, Form 8-K, Exhibit 99.1, "Schering-Plough Reports Sales, Earnings For 2002 Third Quarter," October 24, 2002.

Exhibit 3
 Percentage "Spreads"^{1,2} between AWP and AMP
 Branded Products Accused in New York Counties³
 1997 - 2005

Brand Name	9-Digit NDC	First DataBase	Date Added to DataBase	Gross Sales	Date of First Sales	Date of Last Sales	(Percent)								
							(a)	(b)	(c)	(d)	(e)	(f)	(g)	(h)	(i)
Celestone Soluspan	000850566	01/01/82	01/01/91	09/30/07	25.0 %	25.6 %	25.4 %	30.3 %	24.3 %	24.6 %	22.8	23.7	24.7	31.1 %	28.4 %
Claritin	000850458	04/14/93	04/15/93	04/03/07	23.2	22.9	22.8	23.7							
Claritin	000850612	10/15/96	10/14/96	04/23/01	23.4	22.8	22.7	22.7	23.2	24.8					
Claritin	000851228	02/06/97	02/24/97	01/29/07	23.0	22.7	22.7	22.7	23.4	25.0					
Claritin	000851229	05/25/99	04/26/99	04/03/07	23.4	23.0	22.8	23.2	23.2	25.4					
Claritin-D	000850635	11/15/94	11/14/94	08/07/07	23.4	23.0	22.8	23.2	23.2	25.2					
Claritin-D	000851233	12/07/98	12/01/98	01/31/04	22.6	22.6	22.6	22.6	23.2	25.2					
Diprolene	000850517	03/19/97	01/01/91	09/27/07	26.8	26.3	26.5	27.4	28.1	29.3	31.9	31.9	40.8	37.3	
Diprolene	000850783	08/07/83	01/01/91	09/27/07	25.7	25.5	24.4	26.4	27.1	27.6	34.8	63.1			32.5
Diprolene	000850634	12/03/91	12/01/91	12/20/06	27.4	27.7	27.7	28.5	29.9	32.2	33.2				
Diprolene	05/19/88	01/01/91	09/27/07	22.9	22.7	22.8	23.5	24.2	24.1	29.4	29.3	29.5			
Diprolene	000850962	07/02/87	01/01/91	09/26/07	29.5	29.2	29.4	29.9	31.8	32.8	41.8	38.0	35.1		
Elcon	000850370	03/02/87	01/01/91	09/30/07	29.9	29.4	29.8	29.5	30.7	32.4	36.2	36.9	35.8		
Elcon	000850367	07/02/87	01/01/91	09/26/07	22.9	22.7	22.8	23.4	24.4	24.4	32.1	30.5	28.9		
Elcon	000850854	05/04/89	01/01/91	09/26/07	24.5	25.6	23.8	23.8	24.5	25.4	29.0	27.2	27.7		
Estinyl	000850070	01/01/82	01/01/91	03/07/02	23.2	22.8	23.0	24.5	25.0	25.4	36.7	27.9	33.7	28.4	34.2
Eulexin	000850525	02/09/89	01/01/91	04/03/07	23.2	22.8	23.1	23.7	24.4	24.4	35.3	27.9	28.5	29.7	29.7
Indur	000851153	05/05/95	11/07/06	22.7	22.7	22.9	24.8	35.3	35.3	48.2	27.9	29.7			
Indur	000853306	12/26/95	01/09/96	12/20/06	22.7	22.7	22.9	22.8	23.4	24.4	32.1	30.5	30.5		
Inton A	000850285	01/12/86	01/01/91	01/07/04	22.8	22.8	22.7	24.9	23.3	22.6	22.6	23.8	25.7	28.0	30.1
Inton A	000850539	12/01/88	01/01/91	09/27/07	23.0	22.5	22.6	25.0	25.0	25.5	23.3	23.8	25.7	28.2	29.6
Inton A	000850571	06/12/86	01/01/91	09/28/07	19.9	24.4	24.4	23.3	23.5	23.9	22.0	22.7	22.6	28.2	29.9
Inton A	000850647	01/03/91	03/04/91	11/08/02	26.9	22.7	22.7	22.7	23.0	23.1	22.7	22.7	22.9	23.0	29.5
Inton A	000851110	12/09/95	09/26/07	22.6	22.7	22.7	22.7	23.1	24.4	26.0	26.0	28.8	30.1		
Inton A	000851133	01/30/97	02/04/97	09/27/07	23.3	83.3	82.2	25.2	24.2	24.2	25.6	28.3	32.0	29.5	
Inton A	000851168	01/30/97	02/04/97	09/27/07	22.6	22.8	22.8	22.8	23.5	24.6	25.5	29.3	30.3	29.5	
Inton A	000851179	01/30/97	02/03/97	09/05/07	22.4	22.6	22.5	22.5	23.3	23.7	23.7	23.7	23.7		
Inton A	000851191	01/30/97	02/03/97	12/12/02	22.6	22.7	22.7	22.7	23.0	23.4	23.4	23.4	23.4		
Inton A	000851235	07/14/98	07/07/98	07/07/97	22.8	22.8	22.8	22.8	23.5	24.4	24.4	24.4	24.4		
Inton A	000851242	07/14/98	07/07/98	09/27/07	22.9	22.9	22.9	22.9	23.7	24.4	24.4	24.4	24.4		
Inton A	000851254	07/14/98	07/07/98	09/26/07	22.7	22.7	22.7	22.7	23.5	24.5	24.5	24.5	24.5		
K-Dur	000850263	01/22/87	01/01/91	09/05/07	23.0	22.9	23.0	22.9	24.5	25.5	25.5	25.5	25.5		
K-Dur	000850787	01/22/87	01/01/91	09/05/07	23.5	23.0	23.0	22.9	24.5	25.5	25.5	25.5	25.5		
Lotrimin	000850182	01/01/82	01/01/91	12/11/02	12.8	14.0	4.8	3.9	4.1	56.8	42.7	33.9	44.5	28.3	31.3
Lotrimin	000850613	01/01/82	01/01/91	10/09/02	51.7	52.4	54.1								30.6
Lotrimine	000850809	01/02/01	12/12/00	09/25/07											
NasoneX	000850924	07/01/84	01/01/91	09/27/07	25.2	24.9	24.9	26.4	26.4	27.5	29.7	27.8	30.0		
Nitro-Dur	000851197	10/16/97	03/21/07	03/22/94	25.3	31.3	26.0	29.8	29.8	31.5	30.5	36.6	42.8		
Nitro-Dur	000850819	03/31/94	03/28/94	09/28/07	37.3	31.2	28.4	33.9	34.4	32.5	75.5	50.0			
Nitro-Dur	000853305	01/29/87	01/01/91	09/27/07	267.4	267.4	26.7	27.7	31.5	34.0	34.0	50.2	60.3		
Nitro-Dur	000853310	01/29/87	01/01/91	09/26/07	26.5	30.7	26.7	27.7	27.7	34.4	34.8	32.6	61.6	43.1	
Nitro-Dur	000853315	01/29/87	01/01/91	09/27/07	26.4	30.5	26.8	27.9	27.9	34.4	34.8	32.5	61.2	31.2	
Nitro-Dur	000853320	01/29/87	01/01/91	09/27/07	26.3	29.5	26.2	27.0	27.0	31.5	32.5	31.2	49.2	96.1	
Nitro-Dur	000853330	01/29/87	01/01/91	09/26/07	31.7	30.4	30.3	29.3	31.8	32.7	30.6	45.1	73.5		
Normodyne	000850752	08/24/84	01/01/91	02/08/02	38.1	37.3	35.2	35.1	35.1	27.7	27.7	27.3	29.7	32.0	32.3
Peg-Intron	000851279	01/31/01	02/05/01	09/28/07											
Peg-Intron	000851291	01/31/01	02/05/01	09/26/07											
Peg-Intron	000851297	02/02/04	02/10/04	09/27/07											
Peg-Intron	000851304	01/31/01	02/06/01	09/27/07											
Peg-Intron	000851316	02/02/04	02/10/04	09/27/07											
Peg-Intron	000851323	02/10/04	12/30/05	02/07/04											
Peg-Intron	000851348	01/31/01	02/06/01	09/27/07											
Peg-Intron	000851370	02/02/04	02/16/04	09/27/07											

Exhibit 3
Percentage "Spreads"¹² between AWP and AMP
Branded Products Accused in New York Counties³
1997 - 2005

Notes: - FDB package sizes for certain NDCs of Proventil and Trirafon were replaced with package sizes derived using implied package sizes from Medispan.

¹ 'Spreads' (AWP - AMP) / AMP were calculated as the weighted average of 'Spreads' calculated at the 11-digit NDC level, across all accused NDCs within a 9-digit NDC. At the 11-digit NDC level, 'Spreads' were calculated separately for each period during the calendar year during which neither the AWP nor the AMP had changed. These 'spreads' were then aggregated over the calendar year and across 11-digit NDCs using 'Gross Sales Activity' in the AWP and AMP. Data for the 11-digit NDCs were then aggregated to the 9-digit NDC level.

his Laubman (V-2) winnning 2-9-1974 NDC was used after 9 years during which the 9-digit NDC was effectively obsolete or where the percent of sales at or near NAC was not calculated for the reasons indicated in Exhibit 6. Spreads were not calculated for years during which the 9-digit NDC was used after 9 years during which the 9-digit NDC was effectively obsolete or where the percent of sales at or near NAC was not calculated for the reasons indicated in Exhibit 6.

4 "Branded Products" Accrued in a year during which the Company's financial year ended on December 31, 2010, were included in the Company's financial year ended on December 31, 2011, and were not included in the Company's financial year ended on December 31, 2012, as the Company's financial year ended on December 31, 2011, was not yet completed as of December 31, 2012.

¹Gross sales activity in the A&M-Related Classes of Trade is defined as **Total Gross Sales Activity**, limited to the following classes of trade: 11, 12, 13, 17, 21, 22, 123, 171, 341, 346. Total Gross Sales Activity is defined as direct sales and transactions with other companies and entities.

Sources: - Schering Sales Data.

- Medicare Data.
- First DataBank Data.
- Exhibit B to Revised First Amended Consolidated Complaint ("City of NY and New York Counties Exhibit B.xls").
- Schering AMT Data.
- Schering-Plough Aims To Make CLARITIN® Premier Brand In OTC Category, Establish CLARINEX® As Premier Brand In Prescription Category," March 8, 2002.
- Schering-Plough Corporation, Form 10-K, for the fiscal year ended December 31, 2001, Item 1.
- Schering-Plough Corporation, Form 8-K, Exhibit 99.1, "Schering-Plough Reports Sales, Earnings For 2002 Third Quarter," October 24, 2002.

Exhibit 4
Distribution of Schering Sales by Discount Percentage
Branded Products Accused in New York Counties¹
1997 - 2005

**Average Price as a Percent
of Prevailing WAC**

Greater Than (Percent)	Less Than or Equal To (Percent)	Percent of Sales	Cumulative Percent of Sales (Percent)
			(d)
100		0.34 %	0.34 %
99	100	0.07	0.41
98	99	0.21	0.62
97	98	53.51	54.14
96	97	20.40	74.54
95	96	10.97	85.51
94	95	4.83	90.33
93	94	1.60	91.94
92	93	1.05	92.98
91	92	1.41	94.40
90	91	0.57	94.96
85	90	1.33	96.29
80	85	0.78	97.08
	80	2.92	100.00

Notes: - Sales exclude non-US and non-sales transactions, and do not include rebates found in the rebates files.
- Further reductions for prompt payment of 2 percent were applied to direct sales.
- Total Sales were \$28,822,447,176.41. If net revenue for a particular NDC and customer number for the prevailing WAC period was negative (-\$266,533,297.54 total) or if the revenue or quantity before chargebacks or price paid were missing or otherwise non-positive (\$5,756,677.95 total), or if the WAC was not available (\$804,596,173.94 total), it was dropped.
- Wholesale entries from the chargebacks data without corresponding wholesale entries in the sales data were excluded (-\$161,637,794.73 total).
- Wholesale entries from the chargebacks data were matched with wholesale entries in the sales data by prevailing WAC period.
- Price is calculated by customer, as identified by customer number and, for a small number of customer numbers that appear in multiple classes of trade, by customer number and class of trade.
- WAC values were retrieved from FDB by NDC as the prevailing WAC on the date of the sales transaction.
- FDB package sizes for certain NDCs of Proventil and Trilafon were replaced with package sizes derived using implied package sizes from Medispan.
- Ratios of average price to WAC were annualized to the customer and 11-digit NDC level, weighting by Gross Sales Activity in quantity. Gross Sales Activity was calculated as total sales by customer for blank-credit-code transactions in the Direct Sales data and end customer Contract Sales in the Indirect Sales, excluding non-US and non-positive revenue or quantity transactions, by calendar year and prevailing WAC period. The distribution of sales by discount percentage was then calculated by the weighted adjusted prevailing period revenue.
- The time period used for calculating both average prices and Gross Sales Activity was restricted to the relevant period, 1997 through 2005.
- A 9-digit NDC was considered to be effectively obsolete in a quarter if its constituent 11-digit NDCs were declared to be obsolete, discontinued, or converted to over-the-counter products.

¹ The table includes all branded Schering products listed in Exhibit B of the Revised First Amended Consolidated Complaint, except for Gyne-Lotrimin, for which Sales Data were not available.

Sources: - Schering Sales Data.
- First DataBank Data.
- Medispan Data.
- Schering AMP Data.
- Exhibit B to Revised First Amended Consolidated Complaint ("City_of_NY_and_New_York_Counties_Revised_Exhibit_B.xls")
- PRNewswire, "Schering-Plough Aims To Make CLARITIN® Premier Brand In OTC Category, Establish CLARINEX® As Premier Brand In Prescription Category," March 8, 2002.
- Schering-Plough Corporation, Form 10-K, for the fiscal year ended December 31, 2001, Item 1.
- Schering-Plough Corporation, Form 8-K, Exhibit 99.1, "Schering-Plough Reports Sales, Earnings For 2002 Third Quarter," October 24, 2002.

Exhibit 5
Percent of Schering Sales Made at Discounts
No Greater Than 5% Off the Prevailing FDB WAC
Branded Products Accused in New York Counties¹
1997 - 2005

Brand	Percent of Sales within 5% of WAC	Share of New York Medicaid Reimbursement for Accused Schering Drugs
(a)	(b)	(c)
Celestone Soluspan	14.8	0.0 %
Claritin	94.8	25.5
Claritin-D	95.6	9.2
Diprolene	92.4	1.7
Elocon	92.0	5.0
Estinyl	92.4	0.0
Eulexin	63.1	0.8
Imdur	93.3	2.5
Intron A	72.9	1.8
K-Dur	87.3	2.8
Lotrimin	62.9	0.1
Lotrisone	87.2	9.5
NasoneX	91.9	11.2
Nitro-Dur	54.0	2.1
Normodyne	76.2	0.3
Peg-Intron	82.9	9.1
Permitil	41.4	0.0
Proventil	78.8	6.8
Rebetron	58.1	5.1
Temodar	91.5	2.2
Theo-Dur	67.9	0.1
Trilafon	41.2	0.0
Vancenase	82.2	1.3
Vanceril	74.1	2.9

Notes: - Sales exclude non-US and non-sales transactions, and do not include rebates found in the rebates files.

- Further reductions for prompt payment of 2 percent were applied to direct sales.
- Total Sales were \$28,822,447,176.41. If net revenue for a particular NDC and customer number for the prevailing WAC period was negative (-\$266,533,297.54 total) or if the revenue or quantity before chargebacks or price paid were missing or otherwise non-positive (\$5,756,677.95 total), or if the WAC was not available (\$804,596,173.94 total), it was dropped.
- Wholesale entries from the chargebacks data without corresponding wholesale entries in the sales data were excluded (-\$161,637,794.73 total).
- Wholesale entries from the chargebacks data were matched with wholesale entries in the sales data by prevailing WAC period.
- Price is calculated by customer, as identified by customer number and, for a small number of customer numbers that appear in multiple classes of trade, by customer number and class of trade.
- WAC values were retrieved from FDB by NDC as the prevailing WAC on the date of the sales transaction.
- FDB package sizes for certain NDCs of Proventil and Trilafon were replaced with package sizes derived using implied package sizes from Medispan.
- Ratios of average price to WAC were annualized to the customer and 11-digit NDC level, weighting by Gross

**Percent of Schering Sales Made at Discounts
No Greater Than 5% Off the Prevailing FDB WAC
Branded Products Accused in New York Counties¹
1997 - 2005**

Sales Activity in quantity. Gross Sales Activity was calculated as total sales by customer for blank-credit-code transactions in the Direct Sales data and end customer Contract Sales in the Indirect Sales, excluding non-US and non-positive revenue or quantity transactions, by calendar year and prevailing WAC period. Sales within 5 percent of WAC were then calculated by the weighted adjusted prevailing period revenue.

- The time period used for calculating both average prices and Gross Sales Activity was restricted to the relevant period, 1997 through 2005.
- A 9-digit NDC was considered to be effectively obsolete in a quarter if its constituent 11-digit NDCs were declared to be obsolete, discontinued, or converted to over-the-counter products.
- New York Medicaid reimbursement reflects the total amount the State reimbursed to pharmacists for the drug. This total is not reduced or affected by Medicaid rebates paid to the state. This amount represents both the Federal and State reimbursement and is inclusive of dispensing fees.

¹ The table includes all branded Schering products listed in Exhibit B of the Revised First Amended Consolidated Complaint, except for Gyne-Lotrimin, for which Sales Data were not available.

Sources:

- Schering Sales Data.
- First DataBank Data.
- Medispan Data.
- Schering AMP Data.
- Medicaid State Drug Utilization Data including "Definitions for State Drug Utilization Data Specifications", Centers for Medicare & Medicaid Services.
- Exhibit B to Revised First Amended Consolidated Complaint ("City_of_NY_and_New_York_Counties_Revised_Exhibit_B.xls")
- PRNewswire, "Schering-Plough Aims To Make CLARITIN® Premier Brand In OTC Category, Establish CLARINEX® As Premier Brand In Prescription Category," March 8, 2002.
- Schering-Plough Corporation, Form 10-K, for the fiscal year ended December 31, 2001, Item 1.
- Schering-Plough Corporation, Form 8-K, Exhibit 99.1, "Schering-Plough Reports Sales, Earnings For 2002 Third Quarter," October 24, 2002.

Exhibit 6
Percent of Schering Sales Made at Discounts
No Greater Than 5% Off the Prevailing FDB WAC
Branded Products Accused in New York Counties¹
1997-2005

Brand	9-Digit NDC	Date Added to FDB	Date of First Sale	Date of Last Sale	Year									
					(a)	(b)	(c)	(d)	(e)	(f)	(g)	(h)	(i)	(j)
Celestone Soluspan	000850566	1/1/1982	1/1/1991	9/30/2007	15.0 %	13.6 %	21.0 %	9.7 %	30.6 %	28.6 %	20.3 %	43.7 %	91.4 %	
Clarin	000850458	4/14/1993	4/15/1993	4/3/2007	95.0	95.1	95.5	93.7	91.2					
Claritin	000851128	10/15/1996	10/14/1996	4/23/2001	96.6	96.2	97.2	93.9	91.7	92.6				
Claritin	000851123	2/6/1997	2/24/1997	1/29/2007	99.1					95.3	95.6			
Claritin-D	000850635	5/25/1999	4/20/1999	4/3/2007	97.6	95.9	97.9	95.8	65.9					
Claritin-D	000851133	11/15/1994	11/14/1994	8/7/2007					97.5	97.6	66.2			
Diprolene	000850517	12/7/1998	12/1/1998	1/31/2004	97.5									
Diprolene	000850575	3/19/1987	1/1/1991	9/27/2007	92.3	93.9	93.4	93.3	91.8	75.7	82.1	87.3		
Diprolene	000850634	8/7/1983	1/1/1991	9/27/2007	89.5	91.4	90.4	92.8	93.2	76.9	53.8	56.6	96.7	
Diprolene	000850962	12/5/1991	12/1/1991	12/20/2006	93.9	95.3	95.0	94.2	94.0	42.9	67.5			
Diprolene	000850370	5/19/1988	1/1/1991	9/27/2007	94.2	94.3	94.3	93.1	93.6	86.9	88.0	86.9	96.8	
Elocon	000850567	7/2/1987	1/1/1991	9/26/2007	94.2	95.3	94.9	95.0	95.2	81.3	83.6	93.5	96.1	
Elocon	000850854	5/4/1989	1/1/1991	9/30/2007	93.9	96.0	95.5	95.6	95.4	69.8	78.5	97.1	93.5	
Elocon	000850070	1/17/1982	1/1/1997	9/26/2007	96.3	97.1	96.8	96.5	96.5	97.7	46.1	89.3	97.9	
Estinyl	000850525	2/9/1989	1/1/1991	4/3/2007	94.6	93.6	93.7	91.4	82.2					
Eutexin	000851153	5/5/1995	5/10/1995	11/7/2006	97.4	97.2	94.8	66.7	82.0	83.6	84.4	93.9	97.1	
Imdur	000853306	12/26/1995	1/9/1996	12/20/2006	95.3	95.7	94.4	79.7	90.3	91.6	89.9	81.6	83.0	
Imtron A	000850285	6/12/1986	1/1/1991	1/7/2004	48.6	63.7	56.5	48.7	50.3	71.9				
Imtron A	000850539	12/1/1988	1/1/1991	9/27/2007	69.0	68.6	62.1	63.8	61.9	75.7	69.7	76.3	80.5	
Imtron A	000850571	6/12/1986	1/1/1991	9/28/2007	59.7	57.5	50.4	35.4	38.4	58.9	54.5	66.4	75.5	
Imtron A	000850647	1/31/1991	3/4/1991	11/8/2002	88.6	96.7	94.9	53.5	63.4					
Imtron A	000851110	12/19/1995	12/6/1995	9/26/2007	74.5	77.3	69.4	59.9	45.6	75.1	64.1	79.8	86.7	
Imtron A	000851133	1/30/1997	2/4/1997	9/27/2007	71.5	77.2	76.4	60.3	54.1	71.6	64.4	75.4	86.3	
Imtron A	000851168	1/30/1997	2/4/1997	9/27/2007	81.1	74.0	80.8	68.7	59.8	78.5	60.4	79.2	84.9	
Imtron A	000851179	1/30/1997	2/3/1997	9/5/2007	82.5	86.0	78.3	54.7	55.8	79.6	63.4	76.0	81.2	
Imtron A	000851191	2/3/1997	12/12/2002	90.6	81.4	83.9	65.1	69.7	76.0					
Imtron A	000851235	7/14/1998	7/7/1998	9/27/2007	89.3	77.9	78.4	83.0	67.6					
Imtron A	000851242	7/14/1998	7/7/1998	9/27/2007	89.2	76.7	79.9	83.5	79.6					
Imtron A	000851254	7/14/1998	7/7/1998	9/26/2007										
Imtron A	000850263	1/22/1987	1/1/1991	9/25/2007	83.8									
K-Dur	000850817	1/22/1987	1/1/1991	9/5/2007	89.0	91.3	90.0	85.5	70.1	38.3	85.8	86.7	97.4	
Lotrimin	000850182	1/1/1982	1/1/1991	12/11/2002	73.1	67.4	71.7	66.3	68.1	72.7	33.9	72.5	81.9	95.1
Lotrimin	000850613	1/1/1982	1/1/1991	10/9/2002	42.3	47.2	79.4	77.4	78.2					
Lotrisone	000850809	1/3/2001	12/12/2000	9/25/2007					46.6	94.3	84.9	80.0	83.5	
Nasonex	000850924	7/1/1984	1/1/1991	9/27/2007	89.5	89.9	88.0	86.4						
Nitro-Dur	000851197	10/14/1997	3/21/2007											
Nitro-Dur	000850819	3/31/1994	9/28/2007											
Nitro-Dur	000853305	1/29/1987	1/1/1991	9/27/2007	64.4	64.0	55.0	57.3	53.5	61.0	60.5	69.9	77.9	
Nitro-Dur	000853310	1/29/1987	1/1/1991	9/27/2007	63.6	58.1	59.1	60.5	63.5	82.8	50.9	87.7		
Nitro-Dur	000853315	1/29/1987	1/1/1991	9/27/2007										

Exhibit 6
Percent of Schering Sales Made at Discounts
No Greater Than 5% Off the Prevailing FDB WAC
Branded Products Accused in New York Counties¹
1997 - 2005

Brand	9-Digit NDC	Date Added to FDB		Date of First Sale	Date of Last Sale	1997		1998		1999		2000		2001		2002		2003		2004		
		(a)	(b)			(c)	(d)	(e)	(f)	(g)	(h)	(i)	(j)	(k)	(l)	(m)	(n)	(o)	(p)	(q)	(r)	
Nitro-Dur	000853320	1/29/1987	1/1/1991	9/27/2007	57.7	54.2	58.0	54.5	49.9	62.6	73.7	77.9	73.7	73.7	73.7	73.7	73.7	73.7	73.7	73.7	73.7	
Nitro-Dur	000853330	1/29/1987	1/1/1991	9/26/2007	62.4	56.4	56.3	59.0	51.0	68.6	85.4	44.9	44.9	44.9	44.9	44.9	44.9	44.9	44.9	44.9	44.9	44.9
Normodyne	000850752	8/24/1984	1/1/1991	2/8/2002	77.1	85.4	63.2	74.8	72.3	96.7	93.9	65.6	65.6	65.6	65.6	65.6	65.6	65.6	65.6	65.6	65.6	65.6
Peg-Intron	000851279	1/31/2001	2/6/2001	9/28/2007	9/26/2007	9/26/2007	9/26/2007	9/26/2007	96.4	95.5	77.5	67.5	67.5	67.5	67.5	67.5	67.5	67.5	67.5	67.5	67.5	
Peg-Intron	000851291	1/31/2001	2/6/2001	9/27/2004	9/27/2007	9/27/2007	9/27/2007	9/27/2007	97.4	94.2	67.4	67.4	67.4	67.4	67.4	67.4	67.4	67.4	67.4	67.4	67.4	
Peg-Intron	000851297	2/2/2004	2/6/2001	9/27/2007	9/27/2007	9/27/2007	9/27/2007	9/27/2007	97.4	94.2	67.4	67.4	67.4	67.4	67.4	67.4	67.4	67.4	67.4	67.4	67.4	
Peg-Intron	000851304	1/31/2001	2/2/2004	2/10/2004	9/27/2007	9/27/2007	9/27/2007	9/27/2007	97.4	94.2	67.4	67.4	67.4	67.4	67.4	67.4	67.4	67.4	67.4	67.4	67.4	
Peg-Intron	000851316	2/2/2004	2/11/2004	12/30/2005	9/27/2007	9/27/2007	9/27/2007	9/27/2007	97.0	95.6	76.3	84.2	84.2	84.2	84.2	84.2	84.2	84.2	84.2	84.2	84.2	
Peg-Intron	000851323	1/31/2001	2/6/2001	9/27/2004	9/27/2007	9/27/2007	9/27/2007	9/27/2007	97.0	95.6	76.3	75.3	75.3	75.3	75.3	75.3	75.3	75.3	75.3	75.3	75.3	
Peg-Intron	000851368	1/31/2001	2/2/2004	2/16/2004	9/27/2007	9/27/2007	9/27/2007	9/27/2007	97.0	95.6	76.3	76.4	76.4	76.4	76.4	76.4	76.4	76.4	76.4	76.4	76.4	
Peg-Intron	000851370	1/31/2001	2/2/2004	2/16/2004	9/27/2007	9/27/2007	9/27/2007	9/27/2007	97.0	95.6	76.3	76.4	76.4	76.4	76.4	76.4	76.4	76.4	76.4	76.4	76.4	
Permitil	000850296	1/1/1982	1/2/1997	3/30/2003	38.0	50.0	50.5	50.5	48.9	30.5	43.4	78.1	78.1	78.1	78.1	78.1	78.1	78.1	78.1	78.1	78.1	78.1
Proventil	000850298	2/19/1987	1/1/1991	3/30/2003	24.1	24.1	24.1	24.1	24.1	48.9	30.5	43.4	78.1	78.1	78.1	78.1	78.1	78.1	78.1	78.1	78.1	78.1
Proventil	000850299	2/19/1987	1/1/1991	10/18/2002	38.8	38.8	38.8	38.8	38.8	79.3	76.6	86.7	75.7	75.7	75.7	75.7	75.7	75.7	75.7	75.7	75.7	75.7
Proventil	000850311	6/25/1987	1/1/1991	4/22/2002	93.4	93.4	93.4	93.4	93.4	93.7	94.0	93.4	93.4	93.4	93.4	93.4	93.4	93.4	93.4	93.4	93.4	93.4
Proventil	000850314	1/1/1982	1/1/1991	9/27/2007	67.5	77.5	77.5	77.5	77.5	91.2	88.0	89.4	67.8	67.8	67.8	67.8	67.8	67.8	67.8	67.8	67.8	67.8
Proventil	000851132	10/16/1996	12/16/1996	9/30/2007	83.1	80.7	80.7	80.7	80.7	87.2	87.9	51.0	95.1	95.1	95.1	95.1	95.1	95.1	95.1	95.1	95.1	95.1
Rebetron	000851236	6/1/1998	6/8/1998	11/30/2004	83.6	76.1	76.1	76.1	76.1	83.6	89.3	70.6	50.1	50.1	50.1	50.1	50.1	50.1	50.1	50.1	50.1	50.1
Rebetron	000851241	6/1/1998	6/8/1998	5/8/2003	89.3	76.6	86.7	86.7	86.7	79.3	73.7	86.3	73.7	73.7	73.7	73.7	73.7	73.7	73.7	73.7	73.7	73.7
Rebetron	000851258	7/14/1998	7/7/1998	3/15/2005	77.1	77.1	77.1	77.1	77.1	93.7	94.0	94.0	93.4	93.4	93.4	93.4	93.4	93.4	93.4	93.4	93.4	93.4
Temodar	000851244	8/19/1999	8/23/1999	9/19/2007	97.5	77.8	77.8	77.8	77.8	91.2	88.0	89.4	67.8	67.8	67.8	67.8	67.8	67.8	67.8	67.8	67.8	67.8
Temodar	000851248	8/19/1999	8/23/1999	9/28/2007	97.5	80.7	80.7	80.7	80.7	87.2	87.9	51.0	95.1	95.1	95.1	95.1	95.1	95.1	95.1	95.1	95.1	95.1
Temodar	000851252	8/19/1999	8/23/1999	9/10/2007	97.5	80.7	80.7	80.7	80.7	87.2	87.9	51.0	95.1	95.1	95.1	95.1	95.1	95.1	95.1	95.1	95.1	95.1
Temodar	000851259	8/19/1999	8/23/1999	8/27/2007	97.5	80.7	80.7	80.7	80.7	87.2	87.9	51.0	95.1	95.1	95.1	95.1	95.1	95.1	95.1	95.1	95.1	95.1
Theo-Dur	000850584	1/22/1987	1/1/1991	2/17/2002	52.0	78.2	78.2	78.2	78.2	70.7	75.6	70.7	42.0	42.0	42.0	42.0	42.0	42.0	42.0	42.0	42.0	42.0
Trilafon	000850012	1/1/1982	1/2/1997	9/16/2002	26.7	37.4	37.4	37.4	37.4	74.9	74.9	74.9	93.8	93.8	93.8	93.8	93.8	93.8	93.8	93.8	93.8	93.8
Trilafon	000850363	1/1/1982	1/1/1997	5/17/2000	52.3	58.5	58.5	58.5	58.5	94.8	94.8	94.8	93.0	93.0	93.0	93.0	93.0	93.0	93.0	93.0	93.0	93.0
Vancenase	000850041	1/1/1982	1/1/1991	1/26/2001	38.7	44.0	44.0	44.0	44.0	91.8	90.9	90.9	92.0	92.0	92.0	92.0	92.0	92.0	92.0	92.0	92.0	92.0
Vancenase	000850149	6/27/1996	6/27/1996	11/22/2002	60.2	83.4	83.4	83.4	83.4	91.8	90.9	90.9	92.7	92.7	92.7	92.7	92.7	92.7	92.7	92.7	92.7	92.7
Vanceril	000850736	1/1/1982	1/1/1991	4/3/2007	77.4	79.8	79.8	79.8	79.8	77.2	72.0	61.6	47.5	47.5	47.5	47.5	47.5	47.5	47.5	47.5	47.5	47.5

Notes: - Sales exclude non-US and non-sales transactions, and do not include rebates found in the rebates files.

- Further reductions for prompt payment of 2 percent were applied to direct sales.

- Total Sales were \$28,822,447.76. If net revenue for a particular NDC and customer number for the prevailing WAC period was negative (\$26,633,297.54 total) or if the revenue or quantity before chargebacks or price paid were missing or otherwise non-positive (\$5,756,677.95 total), or if the WAC was not available (\$804,596,173.94 total), it was dropped.

- Wholesale entries from the chargebacks data without corresponding wholesale entries in the sales data were excluded (\$161,537,794.72 total).

- Wholesale entries from the chargebacks data were matched with wholesale entries in the

Exhibit 6

**Percent of Schering Sales Made at Discounts
No Greater Than 5% Off the Prevailing FDB WAC
Branded Products Accused in New York Counties¹
1997-2005**

Brand	9-Digit NDC	Date Added to FDB			Date of First Sale	Date of Last Sale	1997			1998			1999			2000			2001			2002			2003			2004			2005		
		(a)	(b)	(c)			(d)	(e)	(f)	(g)	(h)	(i)	(j)	(k)	(l)	(m)	(n)	(o)	(p)	(q)	(r)	(s)	(t)	(u)	(v)	(w)	(x)	(y)	(z)				

sales data by prevailing WAC period.

customer numbers that appear in multiple classes of trade, by customer number and class of trade. WAC values were retrieved from FDB by NDC as the prevailing WAC on the date of

the sales transaction. The NDCs of Proventil and Triafon were replaced with package sizes of 100 and 200 tablets per bottle.

derived using implied package sizes from Medispan. Ratios of average price to WAC were annualized to the customer and 11-digit NDC level, weightings

For the time period used for calculating both average prices and Gross Sales Activity was restricted to the relevant period, 1997 through 2005.

11-digit NDCs were considered to be effectively obsolete for a given year if the first 11-digit NDC to be declared to be obsolete, discontinued, or converted to over-the-counter products. A 9-digit NDC was considered to be effectively obsolete for a given year if its constituents 11-digit NDCs were declared to be obsolete, discontinued, or converted to over-the-counter products.

consolidated to a consecutive 9-digit NDC. At the end of that year, there were gross sales for less than six months of that year, or the 9-digit NDC was effectively obsolete for at least three quarters of the year. The

made at discounts no greater than 5 percent off the prevailing WAC was not calculated for years 99-97 NDC was effectively obsolete or if there was no corresponding percentage "spread" between

The table includes all branded Schering products listed in Exhibit B of the Revised First Amended

Consolidated Complaint, except for Gyne-Lotrimin, for which Sales Data were not available.

Schering Sales Data.
First DataBank Data.

Medispan Data.
Scheirer AMP Data.

Exhibit B to Revised First Amended Consolidated Complaint ("City_of_NY_and_New_York_Co_Revised_Exhibit_B.xls")

PRNewswire, "Schering-Plough Aims To Make CLARITIN® Premier Brand In OTC Category, Ex- CLARINEX® As Premier Brand In Prescription Category," March 8, 2002.

Schering-Plough Corporation, Form 8-K, Exhibit 99.1, "Schering-Plough Reports Sales, Earnings and Cash Flow for the Fiscal Year Ended December 31, 2001, Item 1.

Third Quarter," October 24, 2002.

Sources: - Schering Sales Dept - First DataBank Dept